

Conference Engrossed

FILED

**JANICE K. BREWER
SECRETARY OF STATE**

State of Arizona
House of Representatives
Forty-sixth Legislature
Second Regular Session
2004

CHAPTER 243

HOUSE BILL 2102

AN ACT

AMENDING SECTIONS 15-544 AND 15-1327, ARIZONA REVISED STATUTES; RELATING TO
SCHOOL PERSONNEL.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 15-544, Arizona Revised Statutes, is amended to
3 read:

4 15-544. Limitations on reduction of salaries or personnel

5 A. A governing board may reduce salaries or eliminate certificated
6 teachers in a school district in order to effectuate economies in the
7 operation of the district or to improve the efficient conduct and
8 administration of the schools of the school district, but no reduction in the
9 salary of a certificated teacher who has been employed by the school district
10 for more than the major portion of three consecutive school years shall be
11 made except in accordance with a general salary reduction in the school
12 district by which ~~he~~ THE TEACHER is employed, and in such case the reduction
13 shall be applied equitably among all such teachers.

14 B. Notice of a general salary reduction shall be given each
15 certificated teacher affected not later than May 1 ~~15 of the calendar~~ BEFORE
16 THE FISCAL year in which the reduction is to take effect.

17 C. A certificated teacher dismissed for reasons of economy or to
18 improve the efficient conduct and administration of the schools of the school
19 district shall have a preferred right of reappointment in the order of
20 original employment by the governing board in the event of an increase in the
21 number of certificated teachers or the reestablishment of services within a
22 period of three years.

23 D. THE PROVISIONS OF THIS SECTION DO NOT APPLY TO REDUCTIONS IN SALARY
24 FROM MONIES FROM THE CLASSROOM SITE FUND PURSUANT TO SECTION 15-977.

25 Sec. 2. Section 15-1327, Arizona Revised Statutes, is amended to read:

26 15-1327. Limitations on reduction of salaries or personnel

27 A. The board of directors may direct the superintendent to reduce
28 salaries or eliminate permanent ~~employees~~ EMPLOYEE POSITIONS in the Arizona
29 state schools for the deaf and THE blind in order to effectuate economies in
30 the operation of the schools or to improve the efficient conduct and
31 administration of the schools. The superintendent, with the approval of the
32 board, may designate the positions to be eliminated within an employee
33 classification, and the reduction of personnel shall occur within and be
34 limited to that specific employee classification. A person whose position
35 is eliminated does not have a preferred right to employment in a different
36 employee classification, except that when a vacancy exists in a teaching
37 position and no teacher who is currently employed at any of the schools
38 applies for the position, a person whose position in a management or
39 supervisory position is eliminated has a preferred right to employment as a
40 teacher, provided that the person is qualified for the teaching position. A
41 person whose position is eliminated and who is transferred to a different
42 position in a lower grade does not have a preferred right to a continued
43 salary based on the former position or to any particular salary level in the
44 lower grade. No reduction in the salary of a certificated teacher or
45 credentialed specialist who has been employed by the schools for more than

1 one year shall be made except in accordance with a general salary reduction
2 in the schools by which the person is employed, and in such case the
3 reduction shall be applied equitably among all permanent employees.

4 B. Notice of a general salary reduction shall be given to each
5 certificated teacher and credentialed specialist affected not later than May
6 ~~1 of the calendar~~ 15 BEFORE THE FISCAL year in which the reduction is to take
7 effect.

8 C. A permanent employee dismissed for reasons of economy or to improve
9 the efficient conduct and administration of the schools shall have a
10 preferred right of reappointment in the order of original employment by the
11 board of directors in the event of an increase in the number of permanent
12 employees or the reestablishment of services within a period of three years.

APPROVED BY THE GOVERNOR MAY 18, 2004.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 18, 2004.